

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**TERESA BENNETT,
Plaintiff,**

v.

**DUKES RESTAURANT OPERATING
LTD, DUKE'S RESTAURANT MGMT.
G.P., L.L.C., 4180 BELT LINE LTD,
K&R 4180, INC., DUKE'S BEDFORD
OPERATING, LTD., S&W G.P., L.L.C.,
and SHOPS DUNHILL RATEL L.L.C.**

Defendants.

CIVIL ACTION NO. 3:10-CV-00866-L

**CLASS ACTION COMPLAINT OF
DISABILITY ACCOMMODATIONS
DISCRIMINATION**

ECF

MOTION FOR PARTIAL SUMMARY JUDGMENT

TERESA BENNETT files this Motion for Partial Summary Judgment against Defendants DUKES RESTAURANT OPERATING LTD, DUKE'S RESTAURANT MGMT. G.P., L.L.C., 4180 BELT LINE LTD, K&R 4180, INC., DUKE'S BEDFORD OPERATING, LTD., and S&W G.P., L.L.C. pursuant to Rule 56 of the Federal Rules of Civil Procedure, and respectfully show the Court that there is no genuine issue of fact and Plaintiff is entitled to partial summary judgment as a matter of law.

SUMMARY

Plaintiff seeks summary judgment for her claims under the Title III of the Americans with Disabilities Act 42 U.S.C. § 12181 et seq.

The factual and legal grounds upon which Plaintiff relies, and the citations to each page of the appendix that support each assertion are contained in and are fully set forth in the Brief in Support of Motion for Partial Summary Judgment as required by Local Rule 56.3(b).

Plaintiff would respectfully show the Court that there are no genuine issues of fact and

Plaintiff is entitled to summary judgment as a matter of law.

December 15, 2010

Respectfully submitted,

s/Kenneth Carden

Kenneth D. Carden

State Bar No. 03787300

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Attorneys for Plaintiff

Certificate of Service

This certifies that the foregoing Plaintiffs' Motion was forwarded to Thomas C. Barron, Attorney for Dukes Restaurant Operating Ltd, Duke's Restaurant Mgmt. G.P., L.L.C., 4180 Belt Line Ltd, K&R 4180, Inc., Duke's Bedford Operating, LTD., S&W G.P., L.L.C. through electronic filing of this motion with the District Clerk as allowed by Rule 9 of Miscellaneous Order No. 61.

s/Kenneth Carden

Kenneth D. Carden or Palmer D. Bailey